

Report from the Capital

April 16, 2003

Vol. 58, No. 8

SOUTHERN BAPTIST HISTORICAL
LIBRARY AND ARCHIVES
Nashville, Tennessee

MAY 19 2003

NEWSLETTER OF THE BAPTIST JOINT COMMITTEE

Amended version of faith-based bill approved

Despite several legislative setbacks, supporters of President Bush's faith-based initiatives are trying different ways to get the agenda through Congress.

On April 9, the U.S. Senate passed a significantly watered-down version of the faith-based initiatives, which would have provided government funding for some religiously based social services. The CARE Act of 2003 passed on a vote of 95-5.

The CARE Act — for Charity, Aid, Recovery and Empowerment — started its legislative life two years ago as the Senate version of the faith-based proposal. Since then most of its controversial sections regarding government grants to churches and other religious groups have been removed. The bill now mostly consists of tax incentives designed to encourage individuals and corporations to donate to charities.

On March 28, Sen. Rick Santorum, R-Pa., one of the lead Senate co-sponsors of Bush's faith-based legislation, announced that he had agreed to remove the bill's most controversial section to prime it for passage. That section would have required the government to give what Santorum called "equal treatment" to religious providers in distributing grants to social service programs. The section said government could not discriminate against awarding welfare contracts to agencies simply because they had religious names, had religious art or icons on the walls of their facilities or had religious requirements for membership on their boards of directors.

The provision was already a com-



"I expect to bring equal-treatment language back when we deal with the issue of welfare"

Sen. Rick Santorum

promise with groups who opposed the kind of explicit expansion of the government's ability to fund pervasively religious charities found in the House version of the faith-based legislation. However, some senators believed that language still left the door open to interpretation by an administration that has repeatedly attempted to expand government funding for religious groups. Objectors to those provisions — led by Sens. Jack Reed, D-R.I., and Richard Durbin, D-Ill. — ended up killing the bill last year in the 107th Congress.

The latest compromise on the bill appears to have answered opponents' objections. However, in floor debate April 3, Reed expressed continued concerns with certain portions of the bill that remain. The so-called "Compassion Capital Fund" would provide more than \$150 million a year to offer "technical assistance" to faith-based and other small community charities to aid them in building capacity.

Opponents of government funding for religious groups also have been concerned that any House version of the CARE Act passed may again include the controversial provisions.

In an April 3 briefing with reporters, Santorum said he had reached an agreement with House Majority Whip Rep. Roy Blunt, R-Mo., that any version of the CARE Act passed in the House would not contain the controversial language. A spokesman said Reed had confidence in Blunt's assurance.

But Santorum — a strong supporter of Bush's faith-based plan — did indicate that he would use other vehicles to attempt to get legislation passed in this Congress that expands the government's ability to support religious groups. "I expect to bring equal-treatment language back when we deal with the issue of welfare" later in this session, Santorum said.

A day after the Senate adopted the CARE legislation, leaders from a broad spectrum of religious traditions sent a letter to members of Congress applauding the bill's passage and calling on lawmakers to move quickly so the bill can be enacted into law.

The Baptist Joint Committee endorsed the letter, which said that "the CARE Act offers a critical opportunity, at a time when public and media attention is riveted on events abroad, to come together to address the continuing pain of poverty and unmet human needs here at home."

Signers of the letter included David Saperstein of the Religious Action Center of Reform Judaism, Richard Land of the Southern Baptist Ethics & Religious Liberty Commission, Jim Wallis of Call to Renewal and Curtis Ramsey-Lucas of National Ministries, American Baptist Churches USA.

See CARE Act, Page 4

NewsMakers

◆ **Jeff Huett**, associate director of communications at the Baptist Joint Committee, has been named a Larry King Scholar at George Washington University's School of Media and Public Affairs. Huett was awarded a \$15,000 scholarship at a ceremony April 16. King, host of CNN's "Larry King Live," gave \$1 million to endow the scholarship fund.

◆ **Jimmy Carter** has written a personal letter to the president of the former Soviet republic of Georgia, Eduard Shevardnadze, praising him for his commitment to religious freedom. The former U.S. president's letter, published April 2 on the front page of a Georgian government newspaper *Sakartvelos Respublik*, came in response to Shevardnadze's strongest show yet of support for the country's embattled Christian minorities.

◆ **Colo. Gov. Bill Owens** is expected to sign a bill into law that will permit the use of vouchers to pay private or religious schools to educate low-income children. Vouchers twice have been rejected by voters in ballot referenda, but the bill was pushed through the state legislature after voucher proponents won control in the November 2002 elections. △

Edwards: Defending church-state separation worth risk

Defending the separation of church and state may be politically risky, but it is one of the single most important matters facing lawmakers, a veteran Texas Congressman said.

Rep. Chet Edwards, D-Waco, offered that assessment when he received the 2003 Associated Baptist Press Religious Freedom Award on April 10 at the Freedom Forum in suburban Washington, D.C. The award is presented for significant contributions to the defense and advancement of religious liberty.

Marv Knox, editor of Texas' *Baptist Standard* and chairman of the ABP board, praised Edwards as the "go-to guy" on Capitol Hill regarding religious liberty issues, no matter the political fallout.

Edwards responded that any political price paid by elected officials who defend the separation of church and state pales in comparison to the imprisonment and torture endured by Baptists in Virginia during the Revolutionary War era. John Upton, executive director of the Baptist General Association of Virginia, accepted an ABP Founders Award that same evening for longstanding support offered to the independent news service.

Edwards expressed appreciation to those who taught him the importance of church-state separation as an essential corollary to religious liberty. He cited Herb Reynolds, former president of Baylor University, who introduced Edwards to a widely distributed sermon by George W. Truett on religious liberty, delivered from the East Steps of the U.S. Capitol in 1920.

He also offered thanks to "heroes" of religious liberty such as Brent Walker and James Dunn of the Baptist Joint Committee on Public Affairs and Derek Davis from the J.M. Dawson Institute of Church-State Studies at Baylor University.

"Why should it be difficult politically to fight for an ideal that is embedded in the first 16 words of the First Amendment?" Edwards asked.

Some lawmakers find defense of church-state separation politically risky because the concept is so greatly misunderstood, he suggested.

Edwards recalled an elderly constituent who told him that church-state separation was in the constitution of the Soviet Union, not the United States. He said he did not have the heart to correct her publicly.

Legislators often fail to defend church-state separation because they want to



Edwards accepts Religious Freedom Award from ABP Executive Editor Greg Warner.

avoid being labeled as opponents of religion, he noted.

"The challenge we face is the same one faced in the days of Thomas Jefferson and James Madison. Elected officials fear being perceived as anti-religious," Edwards said.

During the last campaign, Edwards said opponents mailed a half-million brochures saying that he was opposed to children praying in school, "even after Sept. 11." He maintained his longtime support for voluntary religious expression by students and opposition to state-mandated religious exercises.

"I believe in school prayer. I just don't believe in government-sanctioned, government-ordered school prayer," he said.

Elected officials sometimes shy away from church-state separation because "we live in a day of eight-second sound bites and 30-second commercials," he said.

Televised attack ads distorting the records of some elected officials have silenced the voices of some who might otherwise have defended church-state separation, he suggested. Lawmakers fear being labeled as opposing prayer or the Ten Commandments, he noted.

"I think Congressmen should live by the Ten Commandments more and preach about them less from the floor of the Capitol," he said.

Edwards, who described himself as a "Texas Aggie Methodist" and the husband of a Baptist preacher's daughter, called on the faith community to make its voice heard in opposing the Bush Administration's faith-based initiatives.

"It is critical that people of deep faith speak the loudest to beat back attempts to funnel federal funds — and with them all the attendant federal regulations — into houses of worship and to subsidize direct religious discrimination," he said. △

— Ken Camp
Associated Baptist Press

Top school officials should affirm rights of students of all faiths

The recent uproar over remarks by U.S. Department of Education Secretary Rod Paige highlight the necessity for top education leaders to understand and applaud the religious diversity of students attending our public schools. The fracas, which included calls for Secretary Paige to apologize or resign, arose after Baptist Press reported that he called for Christian values to have a place in the nation's educational enterprise.

"All things equal, I would prefer to have a child in a school that has a strong appreciation for the values of the Christian Community, where a child is taught to have a strong faith," Paige was quoted in the story transmitted by Baptist Press, news service of the Southern Baptist Convention.

While a spokesman for the secretary initially vouched for the accuracy of the quotes, the next day the secretary's aides distributed what they said was a partial transcript in which Paige was shown to have responded to a question about whether Christian, public or private universities offer "the best deal."

Paige answered: "That's a judgment, too, that would vary because each of them have real strong points and some of them have vulnerabilities, but you know, all things being equal, I'd prefer to have a child in a school where there's a strong appreciation for values, the kind of values that I think are associated with the Christian communities."

As Baptist ministers who have served local congregations, we understand and applaud the important role that the Christian faith has played in Secretary Paige's life. However, as defenders of religious liberty and supporters of our nation's system of public education, we believe it is vitally important for Secretary Paige and other top education officials to show more awareness of the role of religious diversity.

To his credit, Secretary Paige later said he supported the separation of church and state and that he was simply stating a personal opinion about religious colleges and universities. And, Baptist Press

appears to have twisted his remarks to suit its own polemical purposes.

Nevertheless, it is critical for Secretary Paige clearly to affirm that public schools belong to all citizens regardless of their faith perspectives, religious affiliations, or the absence of both. They have the difficult task of equipping children from all

sectors of society for citizenship and transmitting to them our civic values — those core values that contribute to the common good. These values — because of their rich diversity, not in spite of it — offer educational institutions an opportunity to teach about and promote

respect for differing cultures, nationalities and religions.

Whether it is White House support for private school vouchers or Secretary Paige's interview reported in Baptist Press, the administration's commitment to the constitutional guarantee of religious liberty for all is called into question. We have a right to expect that those charged with improving our public education system will articulate an unambiguous interest in providing the best resources possible for all of America's children, regardless of their religious affiliations.

The goal of our nation's public schools is education, not indoctrination. We serve our children best when we help to shape character in a way that appreciates an increasingly diverse society, not when we treat them as a captive audience convened for the transmission of one particular set of religious beliefs. We wholeheartedly agree that public schools should accommodate the religious rights of students. But, as the administration's own guidelines for educators indicate, that accommodation must be made without disrupting the learning process or interfering with the rights of others.

We strongly encourage Secretary Paige, as the leader of our nation's public school system, to work to ensure that all children of all faiths — or those of no faith at all — feel welcomed and affirmed in our public schools. Our children and the future of our nation deserve no less. △

J. Brent Walker

*Executive Director
Baptist Joint Committee*

&

C. Welton Gaddy

*President
The Interfaith Alliance*

Dunn recovering after surgery to repair torn aorta

Former Baptist Joint Committee Executive Director James M. Dunn is recovering at his Winston-Salem, N.C., home after experiencing a tear in his aorta March 26.

Dunn collapsed while with a colleague on campus at Wake Forest University Divinity School in Winston-Salem, N.C., where he serves as professor of Christianity and public policy.

Dunn has returned to his North Carolina residence after spending several days in the intensive-care unit at Winston-Salem's Baptist Hospital. Doctors at the hospital performed emergency surgery to repair the tear.

Dunn, who continues to serve as president of the BJC Endowment, served as executive director of the Washington, D.C.-based religious liberty agency from 1980-1999. △

BAPTIST JOINT COMMITTEE

Supporting Bodies

- ◆ Alliance of Baptists
- ◆ American Baptist Churches USA
- ◆ Baptist General Association of Virginia
- ◆ Baptist General Conference
- ◆ Baptist General Convention of Texas
- ◆ Baptist State Convention of North Carolina
- ◆ Cooperative Baptist Fellowship
- ◆ National Baptist Convention of America
- ◆ National Baptist Convention U.S.A. Inc.
- ◆ National Missionary Baptist Convention
- ◆ North American Baptist Conference
- ◆ Progressive National Baptist Convention Inc.
- ◆ Religious Liberty Council
- ◆ Seventh Day Baptist General Conference

Report from the Capital

J. Brent Walker
Executive Director
Larry Chesser
Editor
Jeff Huett

Associate Editor

REPORT from the CAPITAL (ISSN-0346-0661) is published 24 times each year by the Baptist Joint Committee. Single subscriptions, \$10 per year. Bulk subscriptions available.

Last year, the House passed a version of the faith-based initiative with virtually all of Bush's requirements intact — including the ability of government to fund pervasively religious groups and a provision that explicitly would allow such groups to receive government funds while retaining their exemption from federal civil rights laws that allows them to discriminate on the basis of religion or ideology in hiring.

Catapulting over the Senate controversy on the issue, Bush implemented many of the goals of his faith-based plan via an executive order in December. However, congressional supporters of the initiative want to codify these orders into law so that future presidents cannot overturn them without congressional approval.

In recent weeks, House committees considering welfare reauthorization bills have dealt head-on with the employment discrimination issue. On March 28, the House Education and Workforce Committee voted along party lines to include a provision allowing religious organizations receiving funds under a welfare bill to practice employment discrimination. The amendment provoked acrimonious partisan debate in the committee.

And a House committee dealing with reauthorization of the National Service Act discussed whether religious providers funded under the program should be exempted from civil rights protections required of other federal contractors. The Bush administration argued in the last Congress for this change to the law, which covers AmeriCorps and other federal community service programs.

In addition, the administration has recently proposed rule changes for federal grantees under programs administered by the departments of Housing and Urban Development and Veterans Affairs that would similarly exempt religious contrac-

tors from federal civil rights laws.

Although he said he supports the CARE Act, Durbin took the opportunity of debate on it to address problems he has with other parts of Bush's faith-based plan. On April 8, in debate on the Senate floor, he launched into a lengthy recounting of the origins of the religious liberty protections of the First Amendment in America.

"Over the past two years, President Bush and his faith-based initiative have repeatedly eroded 200 years of carefully protected separation between church and state," Durbin said, contending that providing government funding to religious groups not only subsidizes employment discrimination with federal dollars, but creates great potential for religious strife. "It appears that what the president wants to achieve with this initiative is to fundamentally change the historic balance in the relationship between government and religion that our founding fathers struck over 200 years ago."

But Santorum later said on the Senate floor that government funding of religious social service providers is necessary because they solve problems secular organizations cannot. "One of the things I believe is essential to a lot of faith organizations, one of the reasons that faith organizations should be and need to be included in providing social services, is that a lot of these faith-based organizations don't just treat the symptom," Santorum said. "What they do, because of their mission, they treat the mind. They treat the spirit and they treat the emotional well being of this person. They treat the whole person. That is one of the keys to success in trying to truly turn people's lives around in a way that brings them back into productive life in America."

— Robert Marus
Associated Baptist Press



BAPTIST JOINT COMMITTEE

200 Maryland Ave. N.E.
Washington, D.C. 20002-5797
202-544-4226
Fax: 202-544-2094
E-mail: bjcpa@bjcpa.org
Website: www.bjcpa.org

Non-profit Org.
U.S. Postage
PAID
Riverdale, MD
Permit No. 5061



*****AUTO**MIXED A00 207 T20 P1
BILL SUMNERS
SOUTHERN BAPTIST HIST. LIBRARY & ARCHIVES
901 COMMERCE ST STE 400
NASHVILLE TN 37203-3628